

027



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,926	01/11/2002	Timo Rantalainen	874.0103.U1(US)	9260
29683	7590	01/24/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			DOAN, KIET M	
			ART UNIT	PAPER NUMBER
			2683	
DATE MAILED: 01/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,926

Applicant(s)

RANTALAINEN, TIMO

Examiner

Kiet Doan

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09/12/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

This office action is response to amendment file on 11/14/2005.

Response to Arguments

Applicant's arguments filed 11/14/2005 have been fully considered but they are not persuasive.

In response to applicants argue that reference Ida **fail to teach** determining if a location procedure is on going in the mobile station; and if it is, completing the location procedure and reporting measurement results in a message from the mobile station to a target radio network controller.

Examiner respectfully disagrees, in Ida (Pub. No. 2002/0082036) teaches determining if a location procedure is on going in the mobile station (Examiner further cited Paragraphs [0053], [0057], teach mobile station moves and change it present location means as location procedure is on going in the mobile station and Fig.1, No.11, Illustrate location generating means as determining location procedure); and if it is, completing the location procedure and reporting measurement results in a message from the mobile station to a target radio network controller (Paragraphs [0026-0027, 0058] teach mobile station transmit measurement location to base station which means as reporting measurement results in a message from the mobile station to a target radio network controller and [0160-0164] teach registers location information which means as completing the location procedure before handoff/handover).

Therefore, the examiner interpreted determining if a location procedure is on going in the mobile station; and if it is, completing the location procedure and reporting

measurement results in a message from the mobile station to a target radio network controller as broadest reasonable interpretation and it is proper.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 15 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demetrescu et al. (Patent No. 6,647,262) In view of Ida et al. (Pub. No. 2002/0082036).

Consider **claims 1,15 and 29**, Demetrescu teaches a method/wireless communication/computer program for operating a mobile station in cooperation with a network operator, comprising: upon an occurrence of a RR procedure, including HO and CRS, that affects the mobile station, determining if a location procedure is ongoing in the mobile station (C2, L1-24, L56-67, C3, L17-55, teach radio transmission in handover and selected cell wherein measurement are report back to network which means as determining if a location procedure is ongoing in the mobile station). Demetrescu teaches the limitation as discuss **but fail to teach** and if it is, completing the location procedure and reporting measurement results in a message from the mobile station to a target radio network controller.

In an analogous art, Ida et al. teaches "Mobile communication system and Method for controlling transmission power". Further, Ida teaches and if it is, completing

the location procedure and reporting measurement results in a message from the mobile station to a target radio network controller (Paragraphs [0025-0027], [0089-0090], teach measured location information of mobile station and transmitted to base station controller as Fig.16, No.4, and further cited Paragraphs [0053, 0057], teach mobile station moves and change it present location means as location procedure is on going in the mobile station and Fig.1, No.11, Illustrate location generating means as determining location procedure and further cited paragraphs [0160-0164] teach registers location information which means as completing the location procedure before handoff/handover).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Demetrescu and Ida system, such that operating a mobile station in cooperation with a network operator, comprising: upon an occurrence of a RR procedure, including HO and CRS, that affects the mobile station, determining and report the location of mobile station to a target radio network controller, to provide means for quality, precise location and prevent interruption when handoff occurred .

Claims 2-5, 7, 9-12, 16-18, 21, 23-26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Demetrescu et al. (Patent No. 6,647,262) In view of Ida et al. (Pub. No. 2002/0082036) and further view of Fried et al. (Patent No. 5,930,721).

Consider **claims 2 and 16**, Demetrescu and Ida teach the limitation of claim as discuss above **but fail to teach** a method as in claim 1, wherein the location procedure

is executed during a Combined Hard Handover and SRNS Relocation procedure for at least one of a PS or a CS domain, and applies to both intra-SGSN/MSC SRNS relocation and inter-SGSN/MSC and SRNS relocation.

In an analogous art, Fried teaches "Emulating an advanced control algorithm in a mobile communications system". Further, Fried teaches a method as in claim 1, wherein the location procedure is executed during a Combined Hard Handover and SRNS Relocation procedure for at least one of a PS or a CS domain, and applies to both intra-SGSN/MSC SRNS relocation and inter-SGSN/MSC and SRNS relocation (Abstract, C5, L25-44).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Demetrescu, Ida and Fried system, such that the location procedure is executed during a Combined Hard Handover and SRNS Relocation procedure for at least one of a PS or a CS domain, and applies to both intra-SGSN/MSC SRNS relocation and inter-SGSN/MSC and SRNS relocation, to provide means for determining precise location of mobile station

Consider **claims 3 and 17**, Demetrescu teaches a method as in claim 1, wherein the location procedure is executed during a Combined Cell/URA/GRA Update and SRNS Relocation procedure for a PS domain, and applies to both intra-SGSN SRNS relocation and for inter-SGSN SRNS relocation (C3, L1-16, teach handover set up applies inter and intra at the SGSN).

Consider **claims 4, 7, 18 and 21**, Ida teaches a method as in claim 1, further comprising sending LCS parameters from a source RNC/BSC to a target RNC/BSC (Fig.16, Illustrate No.4 as source RNC/BSC and No.2 as target RNC/BSC).

Consider **claim 5**, Ida teaches a method as in claim 4, wherein the LCS parameters are sent in a transparent manner (Page 6, Paragraphs [0099-0100] teach transceiver location information within transparent manner).

Consider **claims 9-12 and 23-26**, Ida teaches a method as in claim 5, where the LCS parameters comprise at least one of: a requested location accuracy; a requested location response time; details pertaining to a currently ongoing location process; and a GMLC address (Page 1, Paragraph [0010], Page 5, Paragraphs [0089-0090]).

Claims 6, 8, 13-14, 20, 22 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demetrescu et al. (Patent No. 6,647,262) In view of Ida et al. (Pub. No. 2002/0082036) in view of Fried et al. (Patent No. 5,930,721) and further view of Parmar et al. (Patent No. 6,725,039).

Consider **claims 6 and 20**, Demetrescu, Ida and Fried teach the limitation of claims as discuss above **but fail to teach** a method as in claim 4, wherein for a UTRAN case the LCS parameters are sent in a Source RNC to Target RNC Transparent Container in a Relocation Required message.

In an analogous art, Parmar teaches "Mobile telecommunications system". Further, Parmar teaches a method as in claim 4, wherein for a UTRAN case the LCS parameters are sent in a Source RNC to Target RNC Transparent Container in a Relocation Required message (C1, L42-59, Fig.1, Illustrate UTRAN resources which means as UTRAN case the LCS parameters).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Demetrescu, Ida, Fried and Parmar system, such that UTRAN case the LCS parameters are sent in a Source RNC to Target RNC Transparent Container in a Relocation Required message, to provide means for voice and data maintain connection wherever the location of mobile station.

Consider **claims 8 and 22**, Parmar teaches a method as in claim 1, further comprising sending LCS parameters to the target RNC in a Forward SRNS Context message (C3, L14-32, teach forwarding information contain UTRAN which inherently carry SRNS Context message).

Consider **claims 13-14 and 27-28**, Parmar teaches a method as in claim 1, wherein the message is sent before/after sending a UTRAN Mobility Information Confirm message from the mobile station to the target RNC/BSC (C1, L41-64, C3, L14-32).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

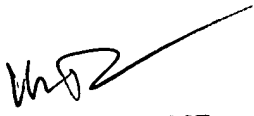
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan
Patent Examiner



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600